

BLUE ASH PLANNING COMMISSION

March 6, 2014

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**ITEM 1: MEETING CALLED TO ORDER**

Vice Chair John Berry called the regular meeting of the Blue Ash Planning Commission to order at 7:01 p.m. on Thursday, March 6, 2014.

MEMBERS PRESENT: John Berry, John Moores, and Jim Sumner

MEMBERS NOT PRESENT: Raymond Schafer and Paul Collett, Jr.

ALSO PRESENT: City Manager David Waltz, Assistant City Manager Kelly Harrington, Community Development Director Dan Johnson, Mayor Lee Czerwonka, Vice Mayor Tom Adamec, and interested citizens

**ITEM 2: OPENING CEREMONY**

Pledge of Allegiance

**ITEM 3: APPROVAL OF THE MINUTES**

Commission members waived the reading of the minutes.

DECISION: Jim Sumner moved, John Moores seconded, to approve the regular meeting minutes of February 6, 2014 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

**ITEM 4: HEARINGS**

**a. Reed Hartman Highway and Ilmenau Way – Anderson Birkla Investment Partners**

Planned Development approval for a multi-family development (tabled at meeting on 2/6)

DECISION: Jim Sumner moved, John Moores seconded, to bring item back from the table. A voice vote was taken. All members present voted aye. Motion carried.

PRESENT: Anthony Birkla – Applicant

Tony Birkla spent the last month getting the details of the project together. He showed a 3-dimensional fly-through video of the project and then went over the project boards and renderings. He said the renderings highlight similarities to the Recreation Center, Summit Park, and intelligence. The site plan has been better defined to show the landscaping materials and takes advantage of the topography across the site. He said it is truly a four sided building that uses quality materials including cement, hardy board, brick, and masonry.

A representative for the applicant presented the materials board. The base is brick and the top is a high quality painted metal. He said all materials are high quality and easily maintained. Color will break up the face and define the floors of the building.

In answer to a question by Jim Sumner, Mr. Birkla answered that this building and land use will help drive other investment and help further a mixed-use atmosphere in the vicinity. They have two “wine and dine” concepts that are currently interested. He said it was the product quality and the current rendering that drove

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commercial interest, which he feels will spill over to the neighboring properties, as well. The non-residential use could be as small as 3,000 square feet, but could grow to as much as 7,000 square feet.

Vice Chair Berry commented that what is currently being reviewed is clarity on design and materials, since the zoning change request was decided at the last meeting based on use. Mr. Sumner said they need to decide if this planned development is consistent with the zoning that was recommended last month, so he feels questions regarding use are appropriate to understand this development.

Vice Chair Berry opened the meeting up to the public.

Ellen Gentry, a representative of Axiom Product Development, said their company is in support of this project. They think the kind of young professionals their company attracts, with advanced degrees, would be very interested in living in a development like this. They are an engineering services company that recently relocated within Blue Ash to a larger site since they are growing so rapidly.

As there were no other comments, Vice Chair Berry closed the public hearing and opened the discussion among the Commission.

Jim Sumner said he was excited about the investment and dramatic design, but his thoughts are wavering if this is the right project for compatibility and if Blue Ash needs more apartments in the community. He wished he had stronger confidence that it will drive mixed use. Mr. Moores agrees we have a surplus of apartments, but he is leaning toward it because there is only so much development that can be done on 8 acres.

John Berry said a large mixed-use development was approved by the City for this particular site several years ago which had a large residential component and probably would have proceeded had it not been for the economy. He is comfortable with the use, likes the design details, and is in support of this project.

DECISION: Jim Sumner moved, John Moores seconded, to recommend to Council approval as submitted. A roll call vote was taken. Two members present voted aye and Jim Sumner voted nay. Motion carried.

**b. 9415 & 9409 Plainfield Road – JAE Capital, LLC**

Special Use Permit approval for a townhouse development on approximately 5.975 acres in an R-3 Residential District

PRESENT: Michael Heines – Applicant

Michael Heines said they previously presented a proposal with just townhouses. This new proposal has a mix of townhouses and other residential forms.

Jeff Barnes of Cedar Hill Custom Homes said this project has three different products to appeal to different markets. There will be townhouses, mid-range ranch houses and high-end ranch houses. The eight two-story townhouses are at the entrance. The units are 2,400 square feet with two-car garages and start at approximately \$350,000. The mid-range product is a ranch that is approximately 1,900 square feet with two-car garages and the higher-range product is a 2,000 square foot ranch with two-car garage and walkouts with decks that overlook the creek and woods. The exteriors will be brick, stone, and hardy siding with earth

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tones. They will be keeping all the green space around the development. Rumpke has already approved individual pick-ups, so there will not be any dumpsters.

Mr. Heines pointed out that there is a Phase II on the south side of the site that will come back at a later date.

In answer to a question, Mr. Johnson said the Fire Department did not have any negative comments regarding access. The City Engineer expressed concern about the parking at the entrance with backing out that could potentially conflict with someone coming in. Mr. Heines commented those spaces were for the model and could be removed later.

Vice Chair Berry opened the meeting up to the public.

Theresa Reed, current property owner of 9409 Plainfield Road, stated she was in support of this project.

As there were no other comments from the public and no further discussion by the Commission, Vice Chair Berry closed the public hearing and entertained a motion.

DECISION: John Moores moved, Jim Sumner seconded, to recommend to Council approval of the Special Use Permit for a townhouse development on approximately 5.975 acres at 9415 and 9409 Plainfield Road as submitted. A roll call vote was taken. All members present voted aye. Motion carried.

**c. Glendale Milford Road – City of Blue Ash**

Zoning Map Amendment to rezone former Blue Ash Airport land to M-1 Office-Industrial

Dan Johnson provided background of this property and said the current zoning is based on a plan that is no longer possible since more than half of the property has been converted to a public park. The way the property was subdivided was not something the City had contemplated or discussed in the past and is, therefore, no longer applicable. The Administration thought it was prudent to seek rezoning of this property to M-1, which is consistent with the majority of the abutting properties.

Marion Haynes who is the attorney for the City of Cincinnati said it would be their preference to postpone making any decisions as they feel rezoning the property at this time would be premature. Also, they believe the particular zoning designation proposed is inconsistent with their current planning process and discussions they have had with the City of Blue Ash to date. He emphasized that the City of Cincinnati does intend to collaborate with Blue Ash on the redevelopment of this property.

Mr. Haynes said rezoning the 100 acre parcel to M-1 would prohibit or prevent the development of residential uses on any portion and would leave the City of Cincinnati with a piece of property that would be denied of economic viable uses. It is the City of Cincinnati's position that residential is a key component to the future development in Blue Ash. They feel the M-1 designation does not respond to market conditions or rational basis as it is contrary to the Comprehensive Plans. In the 1986 Plan and 2003 Plan, there was a specific plan set out for this property if it ever were to be redeveloped, which included single-family homes, townhomes, commercial uses, low-density office and corporate office headquarters. It provided for a variety of uses and housing was a significant portion. Mr. Haynes provided a

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handout to the Commissioners of a document dated October 2012 from MKSK which specified areas for residential uses.

Bill Fischer of City of Cincinnati's Economic Development Division said immediately after the airport closed, they began looking for a developer. They met with the City of Blue Ash to talk about the potential uses. About a year ago, they signed a Preferred Developer Agreement with Van Trust and have come up with a plan. They are working on a purchase agreement for the site before they go into too much more detail. They hope to have that completed within the next few months so they can come back with a better design and specific uses. Mr. Fischer said the zoning that is being proposed is not what they are working towards, so that could potentially affect their negotiations and marketability of the site. Since they signed the Preferred Developer Agreement, the City of Cincinnati has had a new Mayor, new City Manager, and new Interim Director of Development so they have to be caught up before they finish the purchase agreement. The mix of uses is where the market is.

Vice Chair Berry opened the meeting up to public comments. Seeing none, he closed the public hearing.

David Waltz said he met with the interim City Manager, Scott Stiles, and expressed to him his frustration that in his 10.5 years with Blue Ash he has dealt with 14 people from City of Cincinnati on this property. This may or may not work out, but this does not preclude anything that might happen in terms of rezoning for future development. The recent concept plan was characterized as our plan and it was insinuated that we came up with it and are clearly not following our plan. Mr. Waltz expressed clearly to Otis Jones, who was briefly with the City of Cincinnati, that our preference was for this land to be zoned M-1. That concept plan was developed at the insistence of Mr. Jones. At the request of the City of Cincinnati, rezoning was delayed a couple times and now we are starting with a new regime again. He said the preferred status was always to have the zoning as M-1 and he feels confident this is consistent.

Jim Sumner said working out something with the City of Cincinnati with this parcel has moved at a glacial pace. Even when we finally got a deal that allowed for us to take possession after two years, it actually took seven. This is what we have contemplated for some time and have delayed a couple times at their request, but he feels it is time to do what they think is the appropriate zoning.

**DECISION:** Jim Sumner moved, John Moores seconded, to recommend to Council approval of a Zoning Map Amendment to rezone the former Blue Ash Airport land to M-1 Office Industrial. A roll call vote was taken. All members present voted aye. Motion carried.

**d. Zoning Text Amendment – City of Blue Ash**

Zoning Text Amendment to remove airport restrictions from the Zoning Code

Dan Johnson said this is just to remove two provisions that were put in the Code because we had an airport within the City that restricted heights and allowed the City to provide for airport facilities. Those provisions are no longer needed so it is prudent to remove them so as to not create any confusion.

**DECISION:** John Moores moved, Jim Sumner seconded, to recommend to Council approval. A roll call vote was taken. All members present voted aye. Motion carried.

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**ITEM 5: MISCELLANEOUS BUSINESS**

David Waltz said we will be updating the Comprehensive Plan. The process will begin next week with a City Council workshop and a session facilitated for Young Professionals. On March 24, there is an opportunity for Planning Commission, Board Members, and residents to attend.

John Moores praised Public Works for snow removal and David Waltz commented that the City of Blue Ash was recently rated #3 for Best Community in State of Ohio.

**ITEM 6: ADJOURNMENT**

DECISION: There being no further business to be discussed, Jim Sumner moved, John Moores seconded, to adjourn the Planning Commission meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 8:30 p.m.

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John Berry, Vice Chair

MINUTES RECORDED BY:

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Traci Smith